

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EXCALIBUR LIMITED PARTNERSHIP AND
WHALEHAVEN CAPITAL FUND,

Index No. 07 CV 3434

Plaintiffs,

-against-

**CORPORATE DISCLOSURE
STATEMENT**

EARTH BIOFUELS, INC.,

Defendant.
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Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable Judges and Magistrate Judges to evaluate a possible disqualification or recusal, the undersigned attorneys for Earth Biofuels, Inc. in the above-captioned action identify Apollo Resources International, Inc. as a parent corporation that owns 10% or more of the stock of Earth Biofuels, Inc.

Dated: New York, New York
June 28, 2007

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